IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No. 747 of 2006

For Approval and Signature:

HONOURABLE MR.JUSTICE RAVI R.TRIPATHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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RAFIK ALAMBHAI - Applicant(s)
Versus
THE STATE OF GUJARAT & 2 - Respondent(s)

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Appearance :
THROUGH JAIL for Applicant(s) : 1,
MR KT DAVE, ADDITIONAL PUBLIC PROSECUTOR for Respondent(s) : 1,
None for Respondent(s) : 2 - 3.

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CORAM : HONOURABLE MR.JUSTICE RAVI R.TRIPATHI

Date : 27/04/2006

ORAL JUDGMENT

1. Rule. Mr.K.T.Dave, learned Additional Public Prosecutor waives service of rule on behalf of the

respondents.

2. Present is the application filed for parole. Though Criminal Appeal No.289 of 2002 is pending before this Court, the present Special Criminal application is filed.

The learned Additional Public Prosecutor submitted that the petitioner – convict us required to pray for temporary bail in pending appeal.

He further submitted that present application is not maintainable.

3. The application is rejected. Rule is discharged.

However, it is clarified that rejection of this application shall not come in the way of the petitioner – convict to apply for the temporary bail in pending appeal.

(RAVI R.TRIPATHI, J.)

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